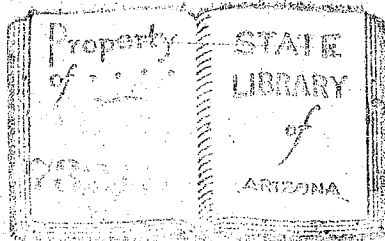


JOURNALS  
OF THE  
SEVENTH LEGISLATIVE ASSEMBLY  
OF THE  
TERRITORY OF ARIZONA.

SESSION BEGUN ON THE SIXTH DAY OF JANUARY, AND  
ENDED ON THE FOURTEENTH DAY OF FEBRUARY,  
A. D. 1873, AT TUCSON.



TUCSON:  
OFFICE OF THE ARIZONA CITIZEN.  
1873.

On motion of Mr. BIDWELL, the Council concurred in House Concurrent Resolution No. 2.

The PRESIDENT appointed Mr. Bidwell committee on the part of the Council under House Concurrent Resolution No. 2.

The following message from the House was received:

*House of Representatives, Tucson, A. T.,*  
January 9th, 1873.

Mr. PRESIDENT:

The House has passed the following House Concurrent Resolution No. 3, and of which they respectfully ask your concurrence:

*Resolved,* By the House, the Council concurring, that the Judges of the Supreme and Probate Courts, Bishop Salpointe and the several ministers now in this city, all commissioned officers of the United States Army and their ladies, and his Honor the Mayor, be and are hereby invited to a seat within the bar of the joint convention.

H. OTT,  
Chief Clerk.

On motion of Mr. WOOLSEY, House Concurrent Resolution No. 3 was concurred in.

On motion of Mr. BIDWELL, the Council took a recess until 12.30 P. M.

12.30 P. M.

The Council resumed its session.

Roll called.

All the members present.

At 12.45 P. M., the Council proceeded to the court-house to meet the House in joint convention, for the purpose of receiving the Governor's message.

## IN JOINT CONVENTION.

The convention was called to order by the President.

Roll of the Council called by the Secretary.

All the members present.

Roll of the House called by the Clerk.

All the members present.

Mr. BIDWELL moved, that a committee of one on the part of the Council and two on the part of the House be appointed to wait upon his Excellency the Governor, and inform him that the two Houses are now assembled in joint convention at the court-house, and ready to receive any communication he may desire to make.

Motion adopted, and Mr. Bidwell on the part of the Council and Messrs. Allen and Brinley on the part of the House appointed committee.

The committee returned and presented the Governor, who delivered the following message:

## GOVERNOR'S MESSAGE.

*Gentlemen of the Council and House of Representatives:*

In pursuance of law and custom, it is made my duty to communicate to you at the commencement of your session, such information as I possess relative to the condition and wants of the Territory, and offer such suggestions as I deem conducive to its welfare.

Experience has demonstrated the necessity of amending some of our laws; and in this behalf your action should be attended with great care, so that when your labors are completed, you will leave the statutes free from conflicts and ambiguities; and I cannot too strongly impress upon you the

danger of too much legislation, by the passage of useless laws, or amending existing laws without promoting any interest thereby. Experience demonstrates that there is far more evil growing out of too much than too little legislation.

#### EDUCATION.

4 The last Legislature passed an act to establish public schools. Under its provisions, the Governor was made *ex-officio* superintendent of public instruction, and the probate judges were constituted *ex-officio* superintendents of public schools in their several counties. For detailed information, I respectfully refer you to the report of the superintendent of public instruction and copies of the reports of the several county superintendents of public schools, which will be laid before you.

It is a source of pride and satisfaction to me, with all the obstacles, that so good a commencement has been made. Free schools have been taught, during the past year, in every school district in the Territory for at least three months. The advancement made by the pupils has been extraordinary, and the sentiment of the people has become interested and cemented into a determination to make almost any sacrifice to educate the rising generation. It is your province to foster this important interest, and I feel confident you will not permit it to languish for want of any power or means at your control to enhance it. No officer intrusted with putting the school law into operation has yet received any compensation for his services, so that every dollar raised for school purposes has been applied to furnishing school rooms, the purchase of books and payment of teachers. In many instances, the establishment of schools was delayed for want of books and teachers; and the almost entire lack of school-houses has been a serious embarrassment, and should be remedied as speedily as possible. As shown by the treasurer's report, we now have a surplus in the Territorial treasury, after paying all our indebtedness, of \$17,620.37. It is not good policy to keep any portion of this money lying idle while so worthy an object as the education of our children is endangered for want of means. I would, therefore, recommend that \$5,000 be divided equally among the several counties of the Territory, to be expended by the several superintendents of schools, subject to the approval of the boards of supervisors, for the erection, furnishing or improving school-houses in the districts of the counties, upon the condition that, before any district shall receive any portion of such money, the inhabitants thereof shall raise, by subscription or otherwise, double the amount proposed to be appropriated by the superintendent; and that an additional \$5,000 be transferred from the general fund and placed to the

credit of the school fund for distribution among the several counties in the manner now provided by law. Such disposition of the moneys will insure within a brief period the expenditure of \$15,000 for school buildings, which would go far toward erecting one in every district within the Territory, with sufficient capacity for present use.

I would also recommend establishing a uniform rate of taxation for school purposes in the several counties. The children have a right to the benefits of education, and if the local authorities should in any case be opposed to raising the necessary revenue, it would thus be placed beyond their power to neglect one of the most important duties we owe to the rising generation.

A bill has already passed the national house of representatives, with fair prospects that it will pass the senate and become a law, to donate the proceeds of the sales of public lands to the advancement of education. Once a law, it is estimated that this bill will give Arizona about \$10,000 annually. It is greatly to be hoped that this or some similar measure will soon have the sanction of Congress. Certainly in no other way can the government contribute so substantially to the infant Territories and advance the best interests of the whole country.

By an act of Congress, the sixteenth and thirty-sixth sections of land are reserved from pre-emption and sale, and donated to the several States and Territories for school purposes; and by the act of July 2, 1862, an amount of land equal to 30,000 acres for each senator and representative in Congress is granted to the several States for the benefit of agricultural colleges and the mechanic arts. I would suggest, for your consideration, the propriety of asking such legislation by Congress as will allow these lands to be sold and the proceeds invested in government bonds, the interest on which to be applied to the support of schools in the Territory.

The subject of compulsory education has been and is agitated throughout the country. Some of the States have adopted it, and others will, no doubt, do likewise. In our own Territory, numbers of children live in isolated localities or in towns where sufficient school room is not yet provided for all, hence this policy cannot be justly and successfully adopted; but I am decidedly in favor, when ample school accommodations are provided for all, that at least three months' schooling be given each year to every child of sound mind and suitable age. It should, however, be left optional with parents to choose between public and private schools.

In a republican government, based upon the consent of the governed, there is no surety of the perpetuity of its institu-

tions, unless the people are sufficiently intelligent to be capable of self-government; and, therefore, this is a question that the government cannot safely ignore, any more than a government sustained by standing armies can afford to neglect its military organization and discipline.

Our present school law is ambiguous and conflicting in many of its provisions. Much inconvenience has been experienced by those intrusted with its execution, in consequence thereof.

It has frequently become necessary to study the intention of the law makers, and enforce it accordingly, with a due regard to justice and the best interest of the school system, rather than follow the strict letter of the law. The school superintendents of the several counties have labored with zeal and fidelity to successfully promote the free school system, and they have been energetically supported by the citizens of their respective counties; and although, as above stated, the strict letter of the law could not, upon all occasions, be observed, still I have not heard of a single complaint that justice and fairness to all have not been given. A careful revision of this law is one of your especial duties.

#### TERRITORIAL FINANCES.

As exhibited by the reports of the auditor and treasurer, which will be laid before you with their respective statements, the Territory's financial condition is in a high degree encouraging. The amount of cash on hand, January 12, 1871, was \$4,150.93; and the receipts into the general fund from all sources up to December 31, 1872, amounted to \$33,722.61, making a total of \$37,873.55. The disbursements to December 31, 1872, were \$21,659.69, leaving a balance in the general fund of \$16,213.86.

The total receipts into the school fund were \$3,436.82, and the disbursements amount to \$2,030.31, leaving an unexpended balance therein of \$1,406.51, and a grand total in the Territorial treasury over all indebtedness of \$17,620.37.

The board of supervisors of Yavapai county having extended the time for the collection of taxes in that county to January 1, 1873, but a small portion of the funds due therefrom have been received, and the amount due from Mohave county is not yet paid in. The sums due from these counties, added to the funds in the treasury, will probably increase the grand total on hand to \$20,000.

In view of the disturbed condition of the Territory, and the great losses our people have sustained, in consequence of the hostility of the Indians, it is a subject for congratulation that we are out of debt and have so large a surplus in the treasury;

and I hope and trust that your action will be such as will continue the Territory upon the same prudent and solid financial foundation.

I would recommend that the Territorial tax of ten cents levied on each one hundred dollars for school purposes be increased to twenty-five cents, and that the tax of fifty cents levied on each one hundred dollars to defray Territorial expenses, be reduced to twenty-five cents. These changes will reduce taxation and add largely to the school fund; and, with an economical administration of the Territorial government, will provide sufficient revenue to promptly meet current expenses.

#### THE APACHES.

The Indian question is still one of engrossing importance to the Territory. The hostility of the Indians strikes at the life of our people, retards immigration, prevents development of our resources, and impoverishes the masses. During the past year the destruction of life and property has been as great as at any former period. In the small valley of the Sonoita, seventeen out of a population of thirty have been murdered by Apaches. In my former message, I used the following language in reference to the policy which ought to be pursued in dealing with these savages, and time has only strengthened me in my convictions of its correctness:

"The Apache Indians have never manifested the least disposition to live on terms of peace, until after they had been thoroughly subjugated by military power, and any attempt to compromise before they are reduced to this condition, is accepted by them as an acknowledgment of weakness and cowardice; therefore, my opinion is that, in the end, it would be economy to the government and humanity to both whites and Indians to prosecute the war with relentless vigor until they are completely humbled and subjugated; after which I believe it to be equally necessary for the government to be prepared to accept and provide for them in their new relations toward the whites. These Indians, before they lay down their arms, depend to a great extent upon theft for their support, and when this mode of supply ceases, hunger and suffering must ensue, unless the government is prepared at once to assist them. They should be removed to a reservation of such circumscribed limits that constant watch could be kept over them; the reservation, instead of being held in common, should be divided into reasonable subdivisions as would give to each family a home and the necessary land to grow the food they require. They should, also, be stimulated and assisted to improve and cultivate their lands, and constant care should be exercised over them to the

end that they plant, cultivate and harvest their crops in due season, and to prevent the evil disposed from joining marauding bands to the great injury of our people and the well disposed of their own tribe."

During the past year great efforts have been made to induce the Apaches to come upon reservations. Gen. O. O. Howard labored for months with commendable energy and zeal for this purpose, and succeeded in bringing a large number upon reserves. It is now left with Gen. Crook to deal with the hostile ones, and no better officer could be intrusted with this duty. He has succeeded within the last few months in striking the enemy several hard blows, and has made such disposition of the little army in his department, that I am impressed with the belief that, with the assistance he is obtaining from the friendly Apaches, but a few more months will pass before the remaining hostile ones will be thoroughly subdued and compelled to properly live on reservations. For the first time in the history of the Apache difficulties, all branches of the government seem to be working in harmony, and concert of action is indispensable to a speedy and peaceable settlement of them. In behalf of the government, Gen. Howard offered the olive branch of peace to every hostile Indian in the Territory, and government is feeding and clothing all who accepted it; and now Gen. Crook is following, and with the sword, compelling those who have not accepted terms of peace to do so. The great obstacle to the subjugation of the Apaches, has been the lack of any definite and fixed policy; but now one appears to have been settled upon, and if carried out with the same vigor and fidelity as at present practiced, we may hope for an early and lasting peace.

#### RAILROADS.

The Texas and Pacific Railroad Company has commenced the building of its road at the eastern end, and already thousands of laborers are employed in preparing the grade and laying the rails thereon. Surveys are being actively carried forward all along the line, and it is expected that, within a few weeks, grading will commence at San Diego, the western terminus; and probably before the year closes, grading will begin east and west from the Colorado river at or near Arizona City. Col. T. A. Scott, the president, has promised that the road shall be completed across the continent in less than five years from this time. His established character for energy and success in railroading, and the financial ability of the company, are sufficient guarantees that it will be accordingly accomplished. This road will traverse a distance of over four hundred miles



in Arizona; will open outlets for our beef and mutton; give quick and cheap transportation for our ores, and reduce the cost of supplies, so that mines which cannot now be worked, can and will be made to yield remuneratively.

The Atlantic and Pacific Company has been impeded in its progress on account of the lands in Indian Territory not being yet opened up to civilization and the progress which attends it; however, it is hoped that an early solution of the causes which make this impediment, will be satisfactorily effected, so that the car of progress may move on, and the vast and rich country through which this road will pass, may yield of its treasures for the benefit of mankind, and furnish new fields for the application of the civilizing arts and sciences.

The people and government of Sonora, as well as the supreme government of Mexico, are disposed to give liberal aid in the construction of a railway from Guaymas, on the Gulf of California, to the Arizona line, with a view of a connection with the Texas and Pacific. The country over which this proposed road will pass is as favorable to cheap construction and operation as the prairies of the West, and contains immense agricultural, grazing and mineral wealth.

#### MINING.

Owing to Indian hostilities, costly transportation and want of capital, the mining interests have not advanced as rapidly as the mineral wealth of the territory would seem to justify; still, many new and valuable discoveries have been made, and the past two years have more than ever before proven the value and vast extent of our mineral resources, the new congressional mining law has so reduced the expense of obtaining patents, that many who have not the means and regard the risks too great to at present successfully develop and work their mines, are complying with the law and procuring titles, with a view of postponing extensive labor until cheaper transportation and better security to life and property are assured. Professor A. Eilers was deputed, in 1870, by Hon. R. W. Raymond, U. S. Commissioner of mines and mining, to collect and report mining statistics in Arizona. He visited the territory, and by persevering industry, collected valuable information regarding our mines and made a very able report thereon. His opinion of our mineral wealth may be inferred from this extract from his report:

"After the construction of the great southern transcontinental railway, Arizona will have nothing to fear in regard to its speedy development, and the mines especially will be foremost to build up a country which so far has been persistently decried

by those who do not know or acknowledge the half of its internal resources."

Professor Eilers is esteemed as one of the ablest and most reliable geologists in the United States, and his testimony to the mineral wealth of Arizona is as emphatic as could be desired. I would suggest for your consideration the propriety of having a few thousand copies of this report printed in pamphlet form for distribution.

#### DIAMONDS.

Considerable excitement has been occasioned during the past year by the reported discovery of vast diamond fields in Arizona, and although the country abounds in beautiful crystals and stones of beautiful colors, it now seems that the reports were originated by persons with fraudulent intentions, and unfortunately too well succeeded. It is with pleasure that I am able to state, much as we desired emigration, none of our own people encouraged the fraud, but, on the contrary, they and our press constantly advised caution and expressed doubts of the genuineness of the reports.

#### AGRICULTURE.

Agriculture is steadily on the increase. There are probably more acres by one half in cultivation than two years ago; and the consumption of agricultural products has largely increased in consequence of bringing and feeding upon reservations Indians heretofore hostile. It speaks well for the productive capacity of our territory, that with insecurity to life at almost every step taken, our farmers are still able to produce a supply for home consumption and the army and friendly Indians. Your fostering care is especially directed to this important industry.

#### THE ONE HUNDREDTH ANNIVERSARY OF OUR NATIONAL EXISTENCE.

It is in contemplation to celebrate the one hundredth anniversary of our national existence at the city of Philadelphia in 1876. I cannot better explain the objects of the celebration than by a recitation of a few brief extracts from an address of the United States Centennial Commission, viz.:

"That the completion of the first century of our existence should be remembered by some imposing demonstration, is, we believe, the patriotic wish of the people of the whole country.

"The Congress of the United States have wisely decided that the birth-day of the Great Republic can be most fittingly celebrated by the universal collection and display of all the trophies of her peaceful progress. It is designed to bring together within a building covering fifty acres not only the varied productions of our soil and mines, but types of all intellectual tri-

umphs of our citizens, especially of what America can furnish, whether from the brains or the hands of her children, the sea or the land within her borders, or the depths beneath her lands, and thus show by convincing proofs, the advancement of which a self-governed people is capable.

In this 'Celebration' all other nations will be invited to participate, its character being international. Europe will display her arts and manufactures. India her curious fabrics, while newly-opened China and Japan will, probably, for the first time lay bare the treasures, which for countless years their ingenious people have been perfecting. Each land will compete in generous rivalry for the palm of superior excellence.

"It is estimated that ten millions of dollars will be required, and this sum Congress has provided shall be raised by stock subscription, and that each State and territory shall have the privilege of subscribing in proportion to their population."

Under this allotment \$2,500 of the stock has been apportioned to Arizona, and our people are expected to take it. Subscriptions are now being made, and I believe liberally taken, but I hardly think the full amount will be individually subscribed, and I suggest for your consideration the propriety of appropriating a reasonable sum from the territorial treasury for this purpose, should the necessity occur. At its recent session, the legislature of Oregon appropriated \$4,000 for the purchase of this stock, and I have no doubt other States and Territories will make liberal appropriations for the same excellent purpose. In addition to the prestige a subscription to the full amount apportioned would give Arizona, she will, at the close of the exhibition, which will extend from April 19 to October 19 inclusive, be paid back a full proportion of its net receipts, which are quite certain to be very large, and probably in excess of the preparatory expenditures, hence the subscription is in the nature of a loan.

Under an act of Congress, I nominated, and the President of the United States commissioned Hon. R. C. McCormick and John Wasson, Esq., commissioners for Arizona. In selecting the commissioners, I had in view the choice of those who would attend all meetings of the Commission, and thereby secure for Arizona the best possible advantages at the exhibition. At every meeting, we have been represented by one or both of the commissioners, and it is their intention that Arizona shall be represented at every future meeting.

I hope and trust that at the exhibition, the wealth and resources of Arizona will be fully represented, and to insure this, some means should be devised in the near future to collect specimens of the inexhaustible minerals and chemicals that

abound in this territory; specimens of all our varied products, and thereby show that almost every thing buried in the earth or that grows out of it, exists within our borders or may be produced therein; specimens of our natural and valuable products that are seldom found in any other portion of the United States, such as the mescal, from which the most nutritious food is obtained, delicious syrups are made and intoxicating liquors manufactured; samples of our gum arabic, of which we have an inexhaustible supply. In fact we must show to our sister States and Territories, and to the world at large, that Arizona, though young in years, has the foundation for wealth, prosperity and happiness second to none.

#### THE VIENNA INTERNATIONAL EXPOSITION.

This exhibition is to be opened at Vienna, Austria, May 1, 1873. It is being prepared upon a scale of grandeur and extent never before approached in the history of the world. The buildings and grounds will include an area nearly six times larger than that at Paris in 1867.

A large amount of space in the open air is reserved for the use of American exhibitors. Arizona has been particularly requested to contribute photographs of scenery, reports of our free school system, and works on the geology and statistics of the Territory. I call your attention to this subject in the hope that some means may be provided by which Arizona may be properly represented.

#### STATISTICS.

The last Legislature appointed a commission to collect and publish reliable information of the resources of the Territory, and advantages of immigration hither. A pamphlet was prepared and published by the commission, and has been given a wide circulation. It has received favorable comments by the press throughout the United States and Europe, and attracted much attention to this Territory. In the preparation of this pamphlet much embarrassment was experienced, owing to a lack of reliable and available statistical information.

In order to obtain such information for future use, I would recommend that the Territorial auditor be directed to annually prepare accurate tables of the statistics of the Territory; and to the end that he may do it thoroughly, the county assessors should be required, at the time of making the annual assessment, to procure from each person assessed, a complete statement of all the information such persons possess, relative to the number of acres under cultivation, the classes of products planted, the average yield per acre, expense of cultivation, and

average price received for the products; number and kind of fruit trees and vines set out, and their yield; number of horses, cattle, hogs and sheep; proceeds of placer and quartz mines; with such other facts as you may deem of importance. The assessors should return these statistics to the county clerks, and a copy be forwarded to the Territorial auditor; and the auditor be then required to compile the information, with such other facts as he may be able to obtain from reliable sources.

The Attorney-General of the United States is required by law to report to Congress, in January of each year, the statistics of crime under the laws of the several States and Territories. To enable the Territory to give this information, I recommend that an act be passed requiring district attorneys to report to the Territorial auditor, on or before the first day of December of each year, the number of prosecutions for capital crimes during the year; the number of prosecutions for crimes punishable by confinement in the penitentiary; the number of prosecutions for offenses punishable less severely than by confinement in the penitentiary; the whole number of criminal cases disposed of during the year; number tried by jury; number of convictions upon trial by jury; number of acquittals upon trial by jury; number of *nolle prosequis*, dismissed or discontinued; number in which the respondent pleaded guilty; number of cases tried before magistrates without a jury; and of these, the number of convictions and acquittals.

## THE INSANE.

I again call your attention to the insane of this Territory. Under the present statute, the care and maintenance of this unfortunate class of our people are left to the boards of supervisors of the several counties, and the only place available for their safe keeping is a common felon's cell. Such confinement is against the dictates of humanity, and the treatment is not calculated to restore to reason the poor lunatic; besides, the shrieks of the insane often become almost intolerable to all within hearing of them. The evil became so annoying that I addressed a letter to Governor Booth, of California, by the Hon. C. A. Tweed, upon the subject, and chiefly through Judge Tweed's exertions and influence, an arrangement was effected for the reception of a limited number of lunatics from this Territory at Stockton. This arrangement was only temporary, and does not meet the public necessities in this respect. A practical system should be adopted at this session for the care and maintenance of the insane, at the expense of the Territory.

## MURDERERS AND OUTLAWS.

Since the adjournment of the last legislature, a number of murders have been committed by Mexican outlaws. One whole family was murdered at Blue Water Station; two men were murdered near Date Creek, and still others along the Gila at Arizona City and other points. These crimes became so frequent that I instructed officers and citizens that I would allow suitable rewards to the extent of the appropriation for services rendered in capturing these offenders, without compelling them to delay action until after communicating with me. This plan has operated admirably. Several who resisted attempts of officers and citizens to arrest them, were killed at the time; others are now in jail awaiting trial; and crime of this character has materially decreased. I would suggest an increased appropriation for this purpose. If not needed, it will remain unused in the treasury; if needed, the tax-payers can well afford to have it properly expended.

## TERRITORIAL PRISON.

No provision has yet been made by the general government that has resulted in the erection of a Territorial penitentiary. By law, criminals under sentence to the penitentiary are confined in the several county jails. These jails are generally insecure, affording frequent opportunities for the escape of the inmates; besides, they have no conveniences or room whereby prisoners can be made to labor, which is essential to their health and reform, as well as to afford some return for the cost of their care and maintenance. By act of Congress, January 22, 1867, the net proceeds of the internal revenue collected in this Territory during the fiscal years ending June 30, 1866-7-8, were to be applied for the erection of a Territorial penitentiary. I have been unable to learn the amount accumulated under this act. Your careful attention is expected to be given to this matter, with the hope that government may be induced to adopt such measures as will insure the erection of suitable prison buildings.

## ARTESIAN WELLS.

Perhaps no question of greater importance to the Territory will claim your attention than that of devising means to stimulate and aid the sinking of artesian wells. There are vast tracts of land in Arizona as beautiful and as capable of being made as fruitful as any the sun shines upon, by being supplied with water. With water, these dry lands would become alive with civilization; farms and settlements would spring up on every

hand, and the plains would be covered with almost countless herds; without it, they must remain unoccupied by man or beast, and the silence of the grave must ever rest upon these tracts of country. I have given considerable time and thought to the study of this subject, and find that the nature of our climate, the geology and formation of the country, combine to give assurance that in Arizona artesian water can be found at almost any point. I will state a few facts pertinent to this subject, as given by Professor Ansted, who has paid great attention to the matter. He says:

"The most ancient of such wells that are known, are to be found in the north-eastern part of Africa. They appear to have been sunk through about eighty feet of clay marl by a shaft, and then bored through three hundred feet of limestone. These wells are not less than four thousand years old. Others of very ancient but unknown date were sunk by the Chinese, who have long known and used the method with success.

\* \* \* But the chief artesian wells, and the oldest in Europe, are those in the north of France. \* \* \* The artesian wells of Artois date back, certainly, to the twelfth century, and there is one in Sillers said to have been sunk in 1126, and to have yielded always, so far as is known, the same quantity of water. In Italy, at Modena and Bologna, and in Germany, at Vienna and elsewhere, ancient and successful wells of this kind exist; but it is only since the commencement of the present century that they have become general in Europe.

\* \* \* As a specimen of the larger operations in artesian wells, I may refer you to the sinkings for the supply of the city of Paris, which required eight years to complete, and were sunk 1800 feet and tapped water bearing strata, which began and continue to give a supply of a million gallons per day."

Great success has been attained in the sinking of artesian wells in California, and also quite recently along the line of the Union Pacific railroad. I mention these facts to show the reasonable certainty of obtaining water on our vast plains by means of these wells. The necessity of them is obvious to any thoughtful man. There are large tracts of land in Texas, New Mexico, Colorado, Wyoming, Utah, Nevada and California, similar in character and situation with reference to water, as the dry lands of Arizona. I would therefore recommend that you memorialize Congress upon this subject, and ask that a reasonable amount of land be given to all persons who obtain water in this way, and that you also communicate with the legislatures of the several States and Territories above named, and solicit their co-operation to secure such donations.

## COMPILATION OF THE LAWS.

By an act of the Legislature, Hon. Coles Bashford was intrusted with the duty of compiling and procuring the publication of the laws of the Territory. He has performed these duties in a manner which reflects credit upon himself and the Territory. Our general laws are now all compiled in one volume, with an excellent index, by which any law can be easily and readily referred to. The duty of not adding to these laws beyond such as are actually necessary, especially rests with you.

## SELLING LIQUOR TO INDIANS.

Complaints are frequently made of liquor being sold to friendly Indians. The lives and property of citizens are often jeopardized by these Indians while in a state of intoxication. To prevent this evil, I would recommend the enactment of severe penalties upon person convicted of this criminal practice.

## REGISTRY LAW.

In my former message, I urged upon the Legislature the importance of a registry law. Time and experience have served to confirm me in the opinion I then entertained. We have a large population who are not citizens, who are unfamiliar with our laws or language, and therefore are liable to be used, in the heat and excitement of election day, by designing men, to cast illegal votes. Nothing so demoralizes and exasperates the people as being deprived of their rights by fraud. I hope that such safeguards will be placed about the ballot-box as will insure fair elections by the legal voters of the Territory.

## REPORT OF THE ADJUTANT-GENERAL OF THE TERRITORY.

Your attention is directed to the able report of the adjutant-general. It is with great pleasure that I bear testimony to his energy, zeal and fidelity in the care and distribution of the arms in a manner to promote the most possible good. His action is in striking contrast with that of his predecessor. The arms have been of incalculable service to our poor people, who have been daily exposed to the savage attacks of the Apaches. In the distribution, it has been aimed to first supply those most exposed, and second, those who were least able to pay for arms, and I believe, in the main, these considerations have strictly governed it.

It will be seen, by the report, how some of the guns have been lost by dishonesty or gross carelessness; many have been taken by the savages; and a considerable number are unfit for use, by reason of nearly four years of wear through storms and rough service. There is great present need in the Territory



of five hundred improved Springfield needle-guns, and I believe by a proper representation to the Secretary of War, he would issue that number to Arizona.

There is a fund set apart each year, by a law of Congress, to pay for arms to arm the militia of the States and Territories. In drawing the last five hundred stand of arms, we were given a credit on that fund, and by an additional issue, it will be charged to us, payable when the fund accumulates. I deem it wise policy to ask for an additional credit on this fund, for surely our people will never be in a condition wherein the arms could be of greater advantage to them.

#### PUEBLO LANDS ADJOINING THE VILLAGE OF TUCSON.

There is a large number of tracts of land of from five to twenty acres adjacent to the village of Tucson, many of which have been occupied and cultivated for over a century. The owners have felt secure in the belief that, by long-continued residence and cultivation, they possessed *bona fide* titles to the same; but, recently, the lands have been surveyed by the United States, and are now subject to preëmption and purchase from the government. The lands are so divided up, that no individual can preëempt even the smallest government subdivision.

In view of these facts, and the further consideration that the owners and their grantors held peaceable possession of these lands under the government of Mexico from a period anterior to the existence of our government, I believe it but manifest justice that they should be donated to the owners by our government. Such was the action of the United States with regard to a similar class of public lands in five towns and cities in California. I would, therefore, recommend that you memorialize Congress upon the subject.

#### CONCLUSION.

You have assembled under peculiarly favorable circumstances. No political or personal bitterness marked our late election. Your constituents, with one accord only, strove to select from among their number those who would faithfully represent the interests of the Territory, and in this spirit I shall cheerfully coöperate with you, and now tender one and all a cordial welcome to the capital and your field of immediate duty.

EXECUTIVE OFFICE,  
TUCSON, January 6th, 1873. }

A. P. K. SAFFORD.

On motion of Mr. BIDWELL, the joint convention was dissolved.